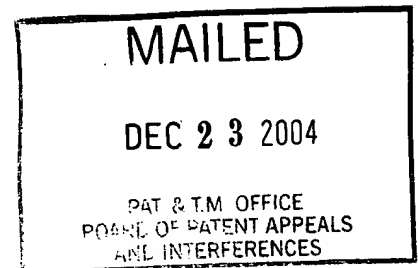


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte THOMAS GEISLER

Application No. 09/673,313



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on October 22, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

Appellant filed an amendment (Paper No. 8;) that was entered in PALM and noted on the Contents of the application as filed November 24, 2002. The correct date of November 24, 2000 is indicated on the amendment, pages 1 and 2. The examiner must provide the correct date for the amendment. In addition, this amendment was not physically entered. An Office action was filed

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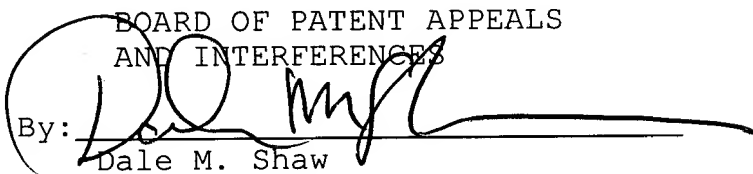
filed on December 17, 2002, but there is no clear indication to the status on entry or non-entry of the amendment. Before further review of this file, the examiner must give a clear indication to the disposition of the amendment filed November 24, 2000.

Accordingly, it is

ORDERED that this application be returned to the examiner for: 1) correction to the date of the amendment filed November 24, 2000; 2) status on entry or non-entry of this amendment; 3) if the amendment is presumed to be entered, correction to the appendix to the brief in one of two ways: a) to notify appellant that the brief is defective, and to have appellant file a corrective brief; b) to issue a Supplemental Examiner's Answer to correct the deficiencies of the brief; and 4) for such further action as may be appropriate.

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It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES
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DMS/tdl
RA05-0150